

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LOANCARE LLC,

Plaintiff,

-against-

DIMONT & ASSOCIATES, LLC et al.,

Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 03/11/2024

22-CV-09286 (MMG)

ORDER

MARGARET M. GARNETT, United States District Judge:

WHEREAS, by letter-motion on March 4, 2024, Plaintiff, with Defendants' consent, requested to file under seal Exhibits 6, 7, and 17 to Plaintiff's Rule 56.1 Statement of Undisputed Material Facts, *see* Dkt. No. 82; and

WHEREAS, by an amended letter-motion on March 7, 2024, Plaintiff, with Defendants' consent, requested to file under seal Exhibits 5, 6, 7, and 17 to Plaintiff's Rule 56.1 Statement of Undisputed Material Facts, *see* Dkt. No. 86; and

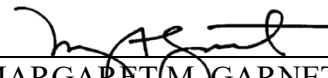
WHEREAS, the proposed documents to be filed under seal contain confidential business information, specifically documents concerning Plaintiff's internal policy and procedures and a sensitive contract with a third party;

The Court having examined the documents in questions and considered the parties' representations, it is hereby ORDERED that Plaintiff's letter-motion to file Exhibits 5, 6, 7, and 17 to its Rule 56.1 Statement of Undisputed Material Facts at Dkt. No. 84 is GRANTED. Although "[t]he common law right of public access to judicial documents is firmly rooted in our nation's history," this right is not absolute, and courts "must balance competing considerations against" the presumption of access. *Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110, 119–20 (2d Cir. 2006) (internal quotation marks omitted); *see also Nixon v. Warner Commc'ns, Inc.*, 435 U.S. 589, 599 (1978) ("[T]he decision as to access is one best left to the sound discretion of the trial court, a discretion to be exercised in light of the relevant facts and circumstances of the particular case."). Plaintiff's request to seal is necessary to protect its confidential business information.

The Clerk of Court is directed to TERMINATE Dkt. Nos. 82 and 86.

Dated: March 11, 2024
New York, New York

SO ORDERED.



MARGARET M. GARNETT
United States District Judge